

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

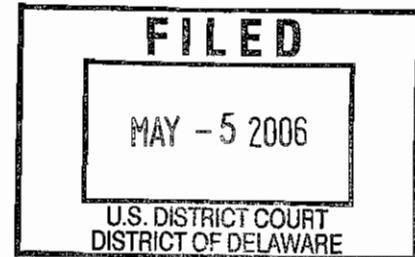
James A. Wilson, et, al.

Plaintiffs,

C.A. NO. 05-399-JJF

Stanley Taylor, et, al.

Defendants.



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Affidavit/Answer in response to motion to dismiss (sum) Judge

I, James Wilson, do depose that the following is true and correct.

1. When obtaining signatures for civil action 05-399-JJF every plaintiff had knowledge that we were petitioning the court for violation of due process of law violations, in job discrimination, classification and disciplinary actions.

2. Nate Henry did not have a certain criteria to clean the showers because there is no job description given to these men when they are given a job; that pertain to how to clean the shower. He cleaned the showers and Capt. John Stolzenbach stated that he did a half heart attempt at cleaning them. (See write up). He then informed Henry that they were not clean and he kept playing card. Capt. Stolzenbach never gave inmate Henry an order to re-do the showers, therefore, he did not disregard or obsecguard his orders. (see write-up)

3. INMATE STATES AT HIS WRITE-UP HEARING THAT CPL. STOLZENBACH DID NOT EXPLAIN WHAT HE WANTED OR HOW CLEAN THEY SHOULD BE.
4. SHOWERS IN THE MEET BUILDING ARE STAINLESS STEEL AND TO CLEAN THEM IS A VERY EASY JOB EVEN IF ITS HALF HEATED BECAUSE EVERYTHING RUNS DOWN THE STEEL WITH EASE.
5. THIS CIVIL CASE WAS FILED JUNE 15, 2005 SINCE THE PLAINTIFFS HAVE RECEIVED LETTERS CONCERNING I.F.P., MEMORANDUMS, AND ORDERS. IF INMATE ROBERT D. OXFORD DID NOT HAVE KNOWLEDGE THAT THIS WAS A CIVIL COMPLAINT THEN WHY DIDN'T HE SAY SOMETHING ON THE AIR SET? AND WHY IS HIS NAME ON ANOTHER LAW SUIT WITH PLAINTIFF ELDON POTTS WHO IS ALSO A PLAINTIFF ON 05-399-JJF. NO ONE FORGED INMATE ROBERT D. OXFORD NAME. THIS INMATE GOT FIRED FROM HIS JOB IN THE KITCHEN AND HE STATED THAT HE WILL SIGN ANYTHING BECAUSE HE FELT THAT HE WAS FIRED WRONGLY AND HE WAS ABOUT TO BE MOVED FROM THE MEET BUILDING. I REPEAT PLAINTIFF ROBERT D. OXFORD KNEW WHAT HAPPEN TO INMATE HENRY BECAUSE HE WAS ON THE SAME SIDE AS HENRY, THE WEST SIDE OF MEET AND WAS INFORMED BY JAMES WILSON INMATE HENRY DUE PROCESS OF LAW WAS VIOLATED IN HIS DISCIPLINARY HEARINGS AND THAT HE WAS MOVED BEFORE DUE PROCESS WAS COMPLETE. NOW YOU DO NOT PETITION ANYONE FOR DUE PROCESS VIOLATIONS EXCEPT THE COURTS.

6. THE REASON why the same signatures was used is due to inmates either went home or the crest or work release or was moved to different buildings and we could not get to them and this is one of the reason's why we submitted a Motion for Appointment of Counsel. If we had an attorney as to date he could find out where Sgt. Mears is from the institution or where he has had his mailed forwarded to. we as inmates cannot find out such information. An attorney could have talked with each inmate about the letter they received from Lisa Barchi and informed us if we had to respond since it did not come from the Court.

7. Inmate James Wilson do not have enough time in a day to meet with and consult each inmate about every letter that comes from the Court. The Court knows this and Ms. Lisa Barchi knows this and it is against S.C.I. policies to communicate with other inmates in different buildings unauthorized communication is a write-up.

8. An Attorney could have found out where Pedro Cintea and Brian ~~Parsons~~ Brisco is locked because of larger access ability. An attorney could address Ms. Lisa Barchi Motion To Dismiss / summary Judgment and the Court still should grant Plaintiff's Motion for COUNSEL.

9. As for the dates and times plaintiffs can get this through discovery and interrogatories. Plaintiffs cannot get copies off of officers computers like Ms. Lisa Balchi can because plaintiffs are inmates, however, an appointed counsel would be able to.
10. Through discovery plaintiffs could show that there is discrimination in jobs between black inmates and white inmates. Through discovery plaintiffs can show unjust and bias disciplinary outcomes for white inmates and black inmates.
11. Through discovery plaintiffs can show that white inmates are more likely to get another job when fired while black inmates are classified out of the building to higher security buildings.
12. Through discovery plaintiffs can show that S.C.I makes inmates do their sanction, and is classified out of the building and moved before due process is complete.
13. Eldon Potts, Howard Parker, Nathan Kinney, ~~and~~ are several inmates who did their sanction, and was classified and moved out of the building while due process was still going on.
14. Inmate Jerome Green was moved and never was classified out of the merit building (see grievance attached)
15. Through discovery plaintiffs can show that all issues are genuine and material

16. Plaintiff James Wilson, Jerome Green witness
SGT. MEARS CAPSTUN INMATE PEDRO CINTEA, INMATE
cintea did not throw a punch at Sgt. Mears.
Cpl. Stolzenbach was there when sgt. mears sprayed
INMATE with CAPSTUN. INMATE never was told
to turn around and put his hand behind
his back. INMATE Pedro was backed up to the
wall then sprayed by SGT. MEARS, Cpl. Stolzenbach
did nothing to stop SGT. MEARS actions.
17. INMATES ARE IN DIFFERENT BUILDINGS AND THIS WHY
I'M DOING A AFFIDAVIT OF THE KNOWLEDGE THAT I KNOW
CONCERNING EACH ISSUE OR STATEMENT OF FACTS OR CLAIM.
18. Plaintiff will appeal if motion to dismiss and
Summary Judgment is granted to defendant.
19. Summary Judgment is premature without discovery.

Sworn before me this 2nd day of May 2006

James A. Wilson
James A. Wilson

Judith Ann Lederman
notary of public

JUDITH ANN LEDERMAN
NOTARY PUBLIC, STATE OF DELAWARE
My Commission Expires August 19, 2007

I/M: James L. Gray BLDG: Key-South A-Quad
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